



WESTFIELD-WASHINGTON
BOARD OF ZONING APPEALS

July 9, 2013
1306-VS-06, 1306-VS-07, and 1306-VS-08
Exhibit 1

Petition Number: 1306-VS-06, 1306-VS-07, and 1306-VS-08 (withdrawn)

Subject Site Address: 2750 E. 146th Street, Suite 200 – Cool Creek Village

Petitioner: Thompson Thrift Development

Request: The Petitioner is requesting a Variance of Standards from the Westfield-Washington Township Zoning Ordinance to allow additional signage to the second-story of an existing multi-tenant, non-residential building. (WC 16.08.010 I.6. b.).

Current Zoning: Special Business Planned Development (SB-PD) District

Current Land Use: Commercial Center (Cool Creek Village)

Approximate Acreage: 3.25 acres

Exhibits:

1. Staff Report
2. Aerial Location Map
3. Sign Proposal
4. Additional Signage
5. Petitioner's Application

Staff Reviewer: Sarah L. Reed, AICP

Petition History

This petition received a public hearing at the June 11, 2013, Board of Zoning Appeals meeting and received no public comments.

Property Location and Description

The subject property is 3.25 acres in size and is located at 2750 E. 146th Street (the "Property"). The Property is zoned Special Business Planned Development (SB-PD) and is surrounded by property zoned SB-PD to the north (residential), east (residential), and west (commercial). The Property abuts 146th Street on the south and the property across 146th Street is in the City of Carmel.

Overview

The Petitioner originally proposed three (3) signs for a new second floor tenant, Salon Lofts, on June 11, 2013 at the Board of Zoning Appeals meeting:

- 1306-VS-06: (Sign #1: Front Facade Wall Sign),
- 1306-VS-07: (Sign #2: Projecting Sign); and
- 1306-VS-08: (Sign #3: Rear Facade Wall Sign).

Since the public hearing, the Petitioner has amended their request by withdrawing Petition No. 1306-VS-08 (Sign #3: Rear Elevation Wall Sign) and amending the sign design of Sign #2 (1306-VS-07) on the west elevation from a Projecting Sign to a Wall Sign. No changes were made to Petition No. 1306-VS-06 (Sign #1: Front Elevation Wall Sign). As a result, the Petitioner is now only requesting two (2) variances to allow the following:

- 1306-VS-06: (Sign #1: Front Elevation Wall Sign), and
- 1306-VS-07: (Sign #2: West Elevation Wall Sign).

Sign #1: Front Elevation Wall Sign (See Exhibit 3 – Sign Proposal) is 21.75 square feet in area, and would be located on the upper left corner of the western-most parapet wall (mirroring the Thompson Thrift wall sign on the eastern-most parapet wall). Sign #1 is proposed to be located on the façade of the building facing 146th Street, as shown in its existing condition below.



Sign #2: West Elevation Wall Sign (See Exhibit 3 – Sign Proposal) is the same sign design and area (21.75 square feet) as Sign #1. It is proposed to be centered in the parapet wall located on the west elevation of the building.



Analysis: Summary of WC 16.08.010 I.6. b. – Second Floor Tenant Signage Standards (the “Standards”)

Sign Area: The Standards calculate sign area allotment at a rate of 0.35 square foot per linear foot of building elevation. The linear building frontage is 200’, which results in a permitted second floor sign area allotment of 70 square feet for all second floor tenants. The existing second floor signs (Thompson Thrift sign and Garvin Dentistry) are each approximately 35 square feet, which totals the sign area allotment for permitted second floor tenants. As a result, the additional wall signs for second floor tenants would require a variance to be permitted.

Sign #1 is smaller in area than each of the existing second floor signs. The addition of a third sign would balance out the overall building signage for the second floor and appears to complement the intent of the design of the building’s facade.

Sign #2 would be the only sign located on the west elevation of this building.

Number of Signs: Second Floor Tenants are permitted two (2) total wall signs for buildings that range from 200 to 399 linear feet of Front Building Elevation. As noted above, the two existing second floor wall signs (Thompson Thrift sign and Garvin Dentistry) meet the quantity standard.

Location: Second Floor Tenants are permitted one (1) sign on the Front Building Elevation. The Variance request includes one (1) Front Building Elevation sign (Sign #1 and Sign #2) and one (1) West Building Elevation Sign (Sign #2) for one (1) tenant.

Sign Types: Second Floor Tenants are permitted Wall Signs and Awning Signs. The proposed signs are both Wall Signs.

Directory Sign: There are existing Directory Signs (see Exhibit 4) for the building. Salon Lofts will be utilizing the Directory Sign located inside the building, and at least one (1) of the ground Directory Signs.

Sign Height: Second Floor Tenant Signage can be located no less than twenty-six feet above grade on the front building façade. Both Sign #1 and Sign #2 meet this standard.

Multi-Tenant Monument Sign: Salon Lofts will also be utilizing the Monument Sign on 146th Street. See Exhibit 4.



Procedural: 1306-VS-06 (Sign #1: Front Elevation Wall Sign)

A Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Ind. Code § 36-7-4-918.5 only upon a determination in writing that:

1. *The approval will not be injurious to the public health, safety, morals, and general welfare of the community:*

Finding: It is unlikely the submitted proposal will be would be injurious to the public health, safety, morals, and general welfare of the community because the existing building has signage on the building facade facing 146th Street and the proposed sign is consistent in size and design with the existing wall signs.

2. *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:*

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner because the neighboring properties within Cool Creek Village are also commercial buildings with wall signage and the proposed sign is consistent in size and design with the existing wall signs.

3. *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.*

Finding: The strict application would not permit any additional wall signage for a new second floor tenant. Not having signage would potentially create a deterrent to businesses that are desirable to the community from locating on the second floor thus, creating a difficulty to direct customers/clients to the location.



Procedural: 1306-VS-06 (Sign #2: West Elevation Wall Sign)

A Board of Zoning Appeals shall approve or deny variances from the development standards (such as height, bulk, or area) of the underlying zoning ordinance. A variance may be approved under Ind. Code § 36-7-4-918.5 only upon a determination in writing that:

1. *The approval will not be injurious to the public health, safety, morals, and general welfare of the community:*

Finding: It is unlikely the submitted proposal will be would be injurious to the public health, safety, morals, and general welfare of the community because the existing building has signage on the facade facing 146th Street and the proposed sign would be located on an upper level parapet wall, facing adjacent commercial development.

2. *The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner:*

Finding: It is unlikely the use and value of adjacent property will be affected in a substantially adverse manner because the neighboring properties within Cool Creek Village are also commercial buildings with wall signage and the proposed sign is consistent in size and design as the wall signs for the second floor tenants on the elevation facing 146th Street.

3. *The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the subject property.*

Finding: The strict application would not permit any additional wall signage for a new second floor tenant. Not having signage would potentially create a deterrent to businesses that are desirable to the community from locating on the second floor thus, creating a difficulty to direct customers/clients to the location.



Recommendation

1. Approve **1306-VS-06** (Sign #1: Front Elevation Wall Sign) based on the findings of this report with the following conditions:
 - a. That the approval of this variance runs with the property, not a specific tenant.
 - b. That the sign shall only be permitted for a second floor tenant.
 - c. That the Petitioner records an Acknowledgement of Variance with the Hamilton County Recorder's Office and returns a copy of the recorded instrument to the Economic and Community Development Department prior to the issuance of any new sign permit for the Property.
2. Approve **1306-VS-07** (Sign #2: West Elevation Wall Sign) based on the findings of this report with the following conditions:
 - a. That the approval of this variance runs with the property, not a specific tenant.
 - b. That the sign shall only be permitted for a second floor tenant.
 - c. That the Petitioner records an Acknowledgement of Variance with the Hamilton County Recorder's Office and returns a copy of the recorded instrument to the Economic and Community Development Department prior to the issuance of any new sign permit for the Property.